

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

DANNY L. HOERMLE,

Plaintiff,

Case No. 3:17-cv-3

vs.

COMMISSIONER OF
SOCIAL SECURITY,

District Judge Thomas M. Rose
Magistrate Judge Michael J. Newman

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Michael J. Newman (Doc. #17), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendation.

Accordingly, it is hereby **ORDERED** that:

1. The Report and Recommendation (Doc. #17) is **ADOPTED** in full;
2. Plaintiff's counsel's initial motion (Doc. #15) for attorney's fees under § 406(b) is **DENIED** as moot;
3. Plaintiff's counsel's amended motion (Doc. #16) is **GRANTED** (and counsel is **AWARDED** \$7,609.00 in attorney's fees);
4. Plaintiff's counsel shall reimburse Plaintiff, within **FOURTEEN (14) DAYS**, the EAJA fee previously awarded to counsel; and
5. This case remains terminated on the docket of this Court.

Date: July 8, 2020

*s/Thomas M. Rose

Thomas M. Rose
United States District Judge